

REMARKS

Claims 22-33 are added herein. Claims 1-33 are now pending in the application.

Claims 1-20 over Pepe

In the Office Action, claims 1-17 and 19-21 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,742,668 to Pepe et al. ("Pepe"), with claims 17 and 18 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Pepe. The Applicants respectfully traverse the rejection.

Claims 1-6 recite a method wherein in response to a telephone call and without going off-hook, a process server initiates a process whereby desired information is automatically provided to a recipient. Claims 7 and 8 recite a method of automatically providing an electronic mail message to a communications device after the communications device calls a first phone number without a called device going off-hook. Claims 15-21 recite detecting a first communications device identifier when a first communications device is used to contact a system without the system going off-hook and automatically transmitting a first piece of information to the first communications device following retrieval of a first piece of information.

Pepe appears to disclose a system and method of allowing an employee to access information from a variety of sources through various wireless and wireline networks (col. 5, lines 18-30). A subscriber is given the option to configure a subscriber profile to control sending and receiving options (Pepe, col. 21, lines 13-23). One telephone number provides a single link between a service provider and a subscriber's voice and data communication lines (Pepe, col. 21, lines 23-28).

Thus, Pepe's invention is directed toward providing a link for a subscriber to be able to access both voice and data information. However, Pepe's fails to disclose or suggest the subscriber being able to access

information without establishing a communications link, i.e., without a source of information going off-hook, as recited by claims 1-8 and 15-21.

Claims 9-14 recite establishing and substantially immediately terminating a call to a first phone number, and automatically providing information to a portable communication device using a second phone number.

As discussed above, Pepe requires establishing a link for a subscriber to be able to access both voice and data information. Pepe fails to disclose or suggest access to information without establishing a connection with an information source, i.e., initiating and substantially immediately terminating a call to a first phone number without establishing a connection with an information retrieval system, and automatically providing information to a portable communication device using a second phone number, as recited by claims 9-14.

A benefit of being able to retrieve information from an information source without going off-hook is, e.g., saving of toll minutes. Conventionally, an information source that is called by a party calling to retrieve information goes off-hook to sending information to the calling party. The conventional method of retrieving information requires that an active connection be established between the information source and the calling party. An active connection can be costly with a communication system that charges for each minute the connection remains active. Therefore, being able to access information from an information source without going off-hook saves toll charges.

Accordingly, for at least all the above reasons, claims 1-21 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No.: 36,457
Tel. (202) 261-1020
Fax. (202) 887-0336

MANELLI DENISON & SELTER PLLC

2000 M Street, NW 7TH Floor
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336

WHB/df